



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Shai YARKONI et al.

Art Unit: 1642

Application No.: 09/147,346

Examiner: LR Helms

Filed: March 1, 1999

Washington, D.C.

For: CHIMERIC TOXINS FOR TARGETED THERAPY

Atty.'s Docket: YARKONI2

Date: April 30, 2004

THE COMMISSIONER OF PATENTS
2011 South Clark Place, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Transmitted herewith is a ☒ Amendment ☒ Substitute Specification, Marked-Up Specification, Lorberbaum-Galski Declaration with Exhibits A-C
in the above-identified application.

☒ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27

☐ No additional fee is required.

☒ The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 22	MINUS	** 27	0
INDEP	* 2	MINUS	*** 3	0

FIRST PRESENTATION OF MULTIPLE DEP. CLAIM

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 43	\$
+ 145	\$

ADDITIONAL FEE TOTAL

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 86	\$
+ 290	\$

TOTAL

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☒ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.130(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

☐ First - \$ 55.00

☐ Second - \$ 210.00

☒ Third - \$ 475.00

☐ Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

☐ First - \$ 110.00

☐ Second - \$ 420.00

☐ Third - \$ 950.00

☐ Fourth - \$ 1480.00

Month After Time Period Set

☐ Less fees (\$) already paid for month(s) extension of time on

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$

☒ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$475.00.

☐ A check in the amount of \$ is attached (check no.)

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

05/03/2004 FMETEK11 00000048 09147346

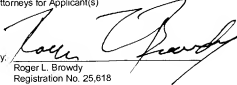
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Facsimile: (202) 737-3528
Telephone: (202) 628-5197

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By: 
Roger L. Browdy
Registration No. 25,618

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: YARKONI2

In re Application of:)	Conf. No.: 1591
Shai YARKONI et al)	Art Unit: 1642
Appln. No.: 09/147,346)	Examiner: LR Helms
Filed: March 1, 1999)	Washington, D.C.
For: CHIMERIC TOXINS FOR)	April 30, 2004
TARGETED THERAPY)	

AMENDMENT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

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Sir:

In response to the Office Action of October 30, 2003, petition for a three-month extension of time and payment being attached hereto, please amend as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Appendices A and B, a substitute specification and a marked-up copy of the specification, respectively, are attached following page 19 of this paper.

Attached at **Appendix C** is the Declaration under 37 C.F.R. §1.132 of Dr. Haya Lorberboum-Galski.